

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

AMLIN UNDERWRITING, LTD.,

Plaintiff,

v.

**CARIBBEAN AUTO MART OF ST. CROIX,
INC., and CHRYSLER DODGE JEEP OF ST.
CROIX, LTD.,**

Defendants.

1:09-cv-21

**TO: Michael J. Sanford, Esq.
W. Mark Wilczynski, Esq.**

ORDER

THIS MATTER came before the Court upon Defendants' Motion to Compel Discovery Responses (Docket No. 36). The time for filing a response to said motion has expired.

Having reviewed the said motion, the Court finds that Defendants have failed to adhere to the requirements of LRCi 37.2. Parties, and particularly counsel, are expected, indeed, required, to know and adhere to all the rules of procedure.

Specifically, Defendants have not filed a stipulation in conformance with LRCi 37.2(a). Rule 37.2(c) provides:

The Court will not consider any discovery motion in the absence of (1) the signed stipulation and certification required by LRCi 37.2(a), or (2) a declaration from counsel for the moving party establishing that opposing counsel:

- (1) failed to confer in a timely manner after receipt of a letter requesting a conference under LRCi 37.1; or
- (2) refused to sign the stipulation and certification required by LRCi 37.2(a).

LRCi 37.2(c).

Thus, in the absence of a stipulation and a declaration from counsel for Defendants establishing the failure of opposing counsel to meet and confer after receiving a letter as described in LRCi 37.1 or refusal to sign the stipulation, this Court will not consider Defendants' said motion and will deny the same.

WHEREFORE, based upon the foregoing, it is now hereby **ORDERED** that Defendants' Motion to Compel Discovery Responses (Docket No. 36) is **DENIED**.

ENTER:

Dated: February 11, 2010

/s/ George W. Cannon, Jr.
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE